

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

APPLIED FILTER TECHNOLOGY, INC.,

Plaintiff,

vs.

JEFF WETZEL, individually, and the marital
community of JEFF WETZEL and JANE
DOE WETZEL; ENVIRONMENTAL
SYSTEMS AND COMPOSITES, INC., a
Washington corporation,

Defendants.

Case No. C09-1040JLR

**PLAINTIFF'S [EX PARTE]
APPLICATION FOR ORDER TO SHOW
CAUSE RE PRELIMINARY
INJUNCTION AND TEMPORARY
RESTRAINING ORDER AND
PRESERVATION ORDER**

Note on Motion Calendar: As Soon As
Possible

ORAL ARGUMENT REQUESTED

1. RELIEF REQUESTED

Plaintiff Applied Filter Technology, Inc. ("AFT") moves this Court pursuant to Federal Rule of Civil Procedure 65(b) for entry of a Order to Show Cause Re Preliminary Injunction, Temporary Restraining Order and Preservation Order, directed to defendants Jeff Wetzel ("Wetzel") and Environmental Systems and Composites, Inc. ("ESC") in the form attached to this Application.

2. EVIDENCE RELIED UPON

This Application is supported by the Declaration of Seth H. Row In Support of
PLAINTIFF'S APP. FOR OSC RE PREL. INJ.
& TRO -1-

0005 shr motion for temporary restraining order

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1 Plaintiff's Injunction Motions, and the Declaration of Paul Tower In Support of Plaintiff's
2 Injunction Motions, and plaintiff's Motion for Preliminary Injunction, which is incorporated to
3 this Application by reference as if fully set forth herein.

4 3. DISCUSSION

5 Unless this Application is granted, AFT will suffer immediate and irreparable injury,
6 loss and damage if defendants are permitted to continue with their work on and bid for work on
7 the Tucson, Arizona "Ina Road" project, which will go out for bid to contractors at the end of
8 July, 2009, if defendants are permitted to continue to use AFT's confidential information in
9 attempting to get work on other projects, and if defendants are permitted to access, modify,
10 destroy, alter, or copy, any electronically stored information (ESI) contained within or stored
11 upon ESC or Wetzel's business computer systems, until a hearing is held on plaintiff's Motion
12 for Preliminary Injunction, as more fully set forth in the Motion for Preliminary Injunction, the
13 Declaration of Seth H. Row In Support of Plaintiff's Injunction Motions, and the Declaration of
14 Paul Tower In Support of Plaintiff's Injunction Motions.

15
16 DATED this 24th day of July, 2009.

17 PARSONS FARNELL & GREIN, LLP

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19 By: /s/ Seth H. Row

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